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February 4, 1999

BY HAND DELIVERY

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: MM Docket No. 97-107
RM-9023
Potts Camp and Saltillo, Mississippi

Dear Ms. Salas:

Transmitted herewith, on behalf of Olvie E. Sisk, licensee of Station WCNA(FM), Potts Camp, Mississippi, are an original and four copies of his "Reply to Response of Broadcasters & Publishers, Inc. to Request for Official Notice," in the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate with the undersigned.

Very truly yours,

FLETCHER, HEALD & HILDRETH, P.L.C.

Anne Goodwin Crump
Anne Goodwin Crump
Counsel for Olvie E. Sisk

Enclosures

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BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM DOCKET NO. 97-107
Table of Allotments, FM Broadcast Stations.)	RM-9023
(Potts Camp and Saltillo, Mississippi))	

Directed to: The Commission

REPLY TO RESPONSE OF BROADCASTERS & PUBLISHERS, INC.
TO REQUEST FOR OFFICIAL NOTICE

Olvie E. Sisk ("Sisk"), by his attorneys, hereby respectfully submits his Reply to the "Response of Broadcasters & Publishers, Inc. to Request for Official Notice" filed by Broadcasters & Publishers, Inc. ("BPI"), on January 25, 1999, in the above-referenced proceeding. With respect thereto, the following is stated:

1. B&P's Response was filed in answer to Sisk's "Request for Official Notice" filed January 15, 1999. In his "Request for Official Notice," Sisk drew the Commission's attention to its *Report and Order* in MM Docket 97-97 (Mt. Juliet, Belle Meade, Tennessee), 12 FCC Rcd. 10481 (1997). Like the instant proceeding, that proceeding involved the removal of a sole local transmission service to another community. Moreover, in the Mt. Juliet proceeding, the Commission gave great weight to economic considerations in reaching its decision.


2. B&P now objects that the Mt. Juliet/Belle Meade case does not stand for the proposition for which it was cited by Sisk. B&P points out that in that case, there were other difficulties with the allotment, including questions of electromagnetic interference (EMI) to FAA localizers. While it is true that the allotment did have EMI difficulties, the point which B&P apparently missed is that those difficulties were not insurmountable. On the contrary, the EMI

problems could have been resolved by changing the frequencies of the affected air navigation localizers. Although these changes would have represented a substantial expense to the petitioner, the Mt. Juliet/Belle Meade decision does not indicate that there was any technical obstacle to changing the localizer frequencies and thereby eliminating the EMI problem. Thus, the mere expenditure of funds would have made the allotment usable at Mt. Juliet and would have allowed that community to retain its sole, local outlet. Accordingly, the Mt. Juliet/Belle Meade *Report and Order* reflects a decision to go forward with a reallocation, and one that would not ordinarily have been deemed preferable, on the basis of economic considerations.

3. Inasmuch as the Commission gave consideration to economic concerns of the petitioner in MM Docket 97-97, it must also give weight to the economic showing made by Sisk in his Application for Review. Sisk urges the Commission to follow the *Report and Order* in MM Docket 97-97 as it considers and resolves Sisk's pending Application for Review.

Respectfully submitted,

OLVIE E. SISK

By: 

Frank R. Jazzo
Anne Goodwin Crump

His Attorneys

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February 4, 1999

CERTIFICATE OF SERVICE

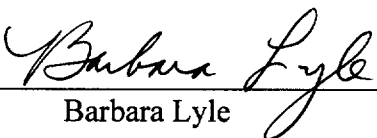
I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that a copy of the foregoing "Reply to Response of Broadcasters & Publishers, Inc. to Request for Official Notice" was sent this 4th day of February, 1999, by first-class United States mail, postage prepaid to:

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